



Paper No. 5

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JUN 3 1999

**SPECIAL PROGRAMS OFFICE
DAC FOR PATENTS**

In re Application of
Jashawant J. Modi
Application No. 08/992,150
Filed: December 17, 1997
Attorney Docket No. MODICASE3

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ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed May 13, 1999, to revive the above-identified application.

The petition is **GRANTED**.

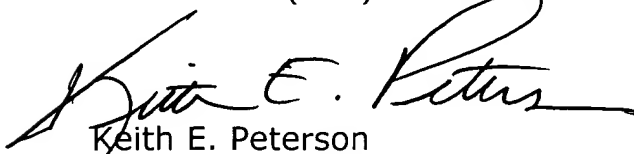
This application became abandoned for failure to timely reply to the Office action mailed August 25, 1998. A Notice of Abandonment was mailed on March 17, 1999.

The statement of unintentional delay presented in the petition does not comply with the current rule. Effective December 1, 1997, 37 CFR 1.137(b)(3) requires a statement that "the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional" be submitted. However, the statement presented will be accepted and construed as meaning that "the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was

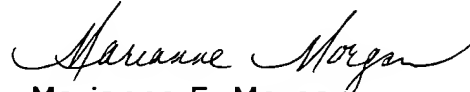
unintentional." If this is an incorrect interpretation in view of the rules, petitioner is required to provide a statement to that effect.

The file is being forwarded to Technology Center 1600.

Telephone inquiries concerning this matter may be directed to the Office of Petitions at (703) 305-9285.



Keith E. Peterson
Legal Instruments Examiner
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Marianne E. Morgan
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